

CRIMINAL MINUTES - TRIAL

Case No. SACR 07-00021-JVS Date April 24, 2009

Present: The Honorable JAMES V. SELNA

Karla J. Tunis	Sharon Seffens	Jeannie Joseph / Ann Wolf
<i>Deputy Clerk</i>	<i>Court Reporter/Recorder, Tape No.</i>	<i>Assistant U.S. Attorney</i>

<u>U.S.A. v. Defendant(s):</u>	<u>Present</u>	<u>Cust.</u>	<u>Bond</u>	<u>Attorneys for Defendants:</u>	<u>Present</u>	<u>App.</u>	<u>Ret.</u>

2. Alexander Zinovy Rivkin	X	X	Gary Lincenberg / Peter Shakow	X	X
5. Ramin Sarshad	X	X	Thomas Biernert / Lou Feldstein	X	X
7. Michael Wayne Chapman	X	X	Michael Khouri	X	X
8. Truc Huy Dao	X	X	H. Dean Steward	X	X

Day <u>COURT TRIAL</u>		25th Day <u>JURY TRIAL</u>	Death Penalty Phase
One day trial;	Begun (1 st day);	Held & continued;	X Completed by jury verdict/submitted to court.

<input type="checkbox"/> Closing arguments made by	<input type="checkbox"/> Court instructs jury	<input type="checkbox"/> Bailiff sworn
<input type="checkbox"/> Alternates excused	<input type="checkbox"/> Jury retires to deliberate	<input checked="" type="checkbox"/> Jury resumes deliberations

Finding by Court as follows:				<u>X</u>	Jury Verdict as follows:	
Dft #	2	<u> </u>	Guilty on count(s) HUNG on all Counts	<u> </u>	Not Guilty on count(s)	
Dft #	5	<u> </u>	Guilty on count(s)	<u>X</u>	Not Guilty on count(s)	on all counts
Dft #	7	<u> </u>	Guilty on count(s) HUNG on all Counts	<u> </u>	Not Guilty on count(s)	
Dft #	8		Guilty on count(s)	X	Not Guilty on count(s)	on all counts

X	Jury polled				_____	Polling waived	
X	Filed Witness & Exhibit lists	X	Filed Jury notes	X	Filed Jury Instructions	X	Filed Jury Verdict

Dft #	Referred to Probation Office for Investigation & Report and continued to	for sentencing.
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Dft #	remanded to custody.	Remand/Release#	issd.	Dft #	released from custody.

Case continued to _____ for further trial/further jury deliberation.

Jury Deliberates from 8 am to 12 Noon. Juror Note #7: Hearing Held. Jury Verdict as to defendants Dao and Sarshad. Jury Hung as to defendants Rivkin and Chapman.

The Court orders the BONDS of defendants Dao and Sarshad EXONERATED and the passports returned to them. Defendants Dao and Sarshad are excused from the Court.

The Court sets the hearing for any post-trial motions for June 8, 2009 at 9:00 a.m. . Defendant's motions shall be filed not later than May 4, 2009; Oppositions shall be filed not later than May 18, 2009 and any replies shall be due by May 26, 2009. Defendants Rivkin and Chapman remain on bond under the same

X Other: terms and conditions previously set.

_____ : _____ 30

Initials of Deputy Clerk kit